IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 8TH MARCH 2007 / 17TH PHALGUNA 1928

WP(C).No. 7772 of 2007(A)

PETITIONER:

P.V.MAMMOO, LICENCEE,
NON-VEGETARIAN REFRESHMENT ROOM, SOUTHERN RAILWAY,
SHORNUR, PALAKKAD AND TIRUR.

BY ADV. SRI.K.SHRIHARI RAO
SMT.N.SHOBHA
SRI.B.R.MURALEEDHARAN

RESPONDENTS:

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1. THE SENIOR DIVISIONAL COMMERCIAL
MANAGER, SOUTHERN RAILWAY, PALGHAT.

2. THE STATION MANAGER,
SOUTHERN RAILWAY STATION,
THIRUR.

3. THE CHIEF COMMERCIAL INSPECTOR,
SOUTHERN RAILWAY, KOZHIKODE.

4. CHIEF COMMERCIAL MANAGER,
SOUTHERN RAILWAY, CHENNAI.

BY ADV. SRI.SUBAL J.PAUL, SC, RAILWAYS

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No.7772 OF 2007-A

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Dated this the 8th day of March, 2007.

JUDGMENT

Petitioner was the licensee of the non-vegetarian refreshment room in the Tirur Railway Station. Some time in 2004, he made Ext.P2 representation seeking extension of the licence on the contention that he had made investments therein. That, obviously, did not get any favourable response from the Railway Authorities. He did not, however, remove his belongings from the premises. This has resulted in Ext.P9 ultimately, whereby the Railway has decided to dispossess all such belongings by public auction. That auction is listed on 13-3-2007.

2. In the very peculiar facts and circumstances, it is directed that unless the petitioner removes all his articles on or before 12-3-2007 with the sanction of the Senior

Divisional Commercial Manager, Palakkad, the Railway will be at liberty to proceed with Ext.P9. If the petitioner has any other grievance giving him a cause of action for compensation or damages, it is clarified that this judgment does not stand in the way of the petitioner seeking remedy in appropriate court in accordance with law and untrammelled by anything stated herein above.

The writ petition is disposed of in the above terms.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/-